

# WOHL & FRUCHTER LLP

570 LEXINGTON AVENUE, 16TH FLOOR  
NEW YORK, NY 10022

T 212 758 4000  
F 212 758 4004

[www.wohlfruchter.com](http://www.wohlfruchter.com)

July 15, 2015

## **VIA ECF**

Honorable Thomas P. Griesa  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

Re: *In re Tremont Sec. Law, State Law and Ins. Litig.*, No. 08 Civ. 11117 (TPG) (S.D.N.Y.)

Dear Judge Griesa:

In response to Class Counsel's third letter on the subject of a briefing schedule (ECF 1103), if the Court is inclined to modify the currently approved schedule (ECF 1092 and 1098), then our view remains that the most fair and sensible schedule is one that provides for (i) all objections to any motion to approve a plan of allocation to be due on the same day (either August 10, 2015, or August 13, 2015), and (ii) all reply papers with respect to any such motions to be due seven (7) days later on the same day (i.e., either August 17, 2015, or August 20, 2015). This approach was also proposed by Mr. Forrester. (ECF 1101). Class Counsel has no basis for insisting that they should have the "last word" on all such motions, or that we should be compelled to file reply papers on the same day that our opposition to Class Counsel's motion is due.

Class Counsel continues refer to a "Federal Rule" that purportedly controls the scheduling, but has not cited to any such Rule. Local Civil Rule 6.1(b)(3) provides that "any reply affidavits and memoranda of law shall be served within seven days after service of the answering papers," which is what the currently approved schedule provides.

We decline to respond to Class Counsel's arguments on the merits of the motions; our responses will be set forth in our papers.

At this stage, we propose a conference with the Court to resolve this matter.

Respectfully submitted,  
*/s/ J. Elazar Fruchter*  
J. Elazar Fruchter

cc: All counsel via ECF